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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,133	03/17/2004	Clint Miller	TROU1100-2	6133
44654	7590	10/04/2006	EXAMINER	
SPRINKLE IP LAW GROUP 1301 W. 25TH STREET SUITE 408 AUSTIN, TX 78705			RAYYAN, SUSAN F	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,133

Applicant(s)

MILLER ET AL.

Examiner

Susan F. Rayyan

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-3, 8-11 are rejected under 35 U.S.C. 102(a) as being anticipated by US Patent Publication Number 2006/0167927 issued to Joseph Edelstein et al (“Edelstein”).

As per claim 1 Edelstein anticipates:

A method for searching an applied data model translating a query to a set of statements operable to search the applied data model, where the query is a component query or a relationship query (paragraph 3, line 1, ontology models equates to data model and paragraph 53,62 as translates query expression in an ontology language and generates query in data schema language);

searching the applied data model based on the set of statements (paragraph 54, as execute query expression in data schema language on one or more data sources);
producing a set of replies to the set of statements (paragraph 73, display messages regarding results of data locating process);

processing the set of replies based on the query(paragraph 73, display messages regarding results of data locating process).

As per claim 2, same as claim arguments above and Edelstein anticipates:
wherein the set of statements is tailored to a table schema (paragraph 53, 56, data schema query language).

As per claim 3, same as claim arguments above and Edelstein anticipates:
wherein the table schema implements a data model (paragraph 51).

As per claim 8, same as claim arguments above and Edelstein anticipates:
wherein processing the set of replies comprises structuring the results (paragraph 73, display messages regarding results of data locating process).

As per claim 9, same as claim arguments above and Edelstein anticipates:
wherein the results are structured based on the query (paragraph 73, results of data locating process).

As per claim 10, same as claim arguments above and Edelstein anticipates:
returning the processed results(paragraph 73, returning the results of the query).

As per claim 11, same as claim arguments above and Edelstein anticipates:
wherein the processed results are formatted based on the query (paragraph 73 and paragraph 104, results of the data query are returned).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 4-5,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication Number 2006/0167927 issued to Joseph Edelstein et al ("Edelstein") and US Patent Publication Number 2004/0002818 issued to David Kulp et al ("Kulp").

As per claim 4, same as claim arguments above and Edelstein does not explicitly teach wherein the table schema represents a graph of the applied data model. Kulp does teach this limitation (paragraph 36, graphical representation of database schema for storing traversal data) to efficiently access data. . It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Edelstein with table schema represents a graph of the applied data model to efficiently access data.

As per claim 5, same as claim arguments above and Edelstein does not explicitly teach ... operable to perform a graph search. Kulp does teach this limitation (paragraph 36, graphical representation of database schema for storing traversal data) to efficiently access data. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Edelstein with table schema represents a graph of the applied data model to efficiently access data.

As per claim 23 Edelstein teaches:

translating a query to a set of statements operable to search the applied data model, where the query is a component query or a relationship query and where the set of statements is tailored to a table schema which implements the applied data model(paragraph 3, line 1, ontology models equates to data model and paragraph 53,62 as translates query expression in an ontology language and generates query in data schema language);

searching the applied data model based on the set of statements(paragraph 54, as execute query expression in data schema language on one or more data sources); producing a set of results to the set of statements and processing the set of results based on the query, wherein processing the set of results includes structuring the set of results based on the query(paragraph 73, display messages regarding results of data locating process).

Edelstein does not explicitly teach wherein the set of statements implements a graph search. Kulp does teach this limitation (paragraph 36) to efficiently access and retrieve data. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Edelstein with table schema represents a graph of the applied data model to efficiently access and retrieve data.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication Number 2006/0167927 issued to Joseph Edelstein et al (“Edelstein”) and US Patent Publication Number 2004/0002818 issued to David Kulp et al (“Kulp”) and further in view of US Patent Number 6,509,898 issued to Ed H. Chi et al (“Chi”).

As per claim 6, same as claim arguments above and Edelstein and Kulp do not explicitly teach ... a breadth first graph search. Chi does teach this limitation (Abstract) to efficiently retrieve data. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Edelstein and Kulp with a breadth first search to efficiently retrieve data.

As per claim 7, same as claim arguments above and Edelstein teaches:
wherein the set of statements is in SQL (paragraph 5, paragraph 62).

4. **Claims 12-22** are rejected based on the same rationale as claims 1-11.

Contact Information


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan Rayyan

September 27, 2006


JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
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